



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,370	12/17/2001	Isaac Achler	ANTAP001/IC-0102	8038
32986	7590	04/08/2004	EXAMINER	
IPSG, P.C. P.O. BOX 700640 SAN JOSE, CA 95170-0640			ORTIZ, BELIX M	
			ART UNIT	PAPER NUMBER
			2175	
DATE MAILED: 04/08/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

27

# Office Action Summary

Application No.

10/026,370

Applicant(s)

ACHLER, ISAAC

Examiner

Belix M. Ortiz

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05/06/2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
DOV POPOVICI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: in figure 2, reference character "200" and in figure 12, reference character "1215" are not described in the written description. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

***Specification***

3. Headings appear in bold/underline throughout the disclosed specification. Heading should not be bold faced and/or underlined. Corrections are required based on the guidelines provided below.

Art Unit: 2175

4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

**Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2175

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Venters et al. (U.S. patent 5,805,600).

As to claim 1, Venters et al. teaches a data optimization engine disposed inline with a first communication channel and a second communication channel (see column 2, lines 42-54), comprising:

a transmit interface circuit configured to receive a first data stream from said first communication channel and to obtain a first data file from said first data stream (see column 2, lines 42-54); and

an optimization processor coupled to said transmit interface circuit for receiving a second data file from said transmit interface circuit, said second data file representing said first data file after said first data file has been processed by said transmit interface circuit into a format suitable for optimization by said optimization processor, said optimization processor performs one of a compression and an encryption on said second data file, thereby obtaining an optimized data file (see column 2, lines 55-67 and see column 5, lines 25-34).

As to claim 4, Venters et al. teaches the data optimization engine further including a receive interface circuit coupled to said optimization processor, said receive interface circuit being configured to receive a second data stream from

said second communication channel and to obtain a third data file from said second data stream, said third data file representing a data file previously optimized and requiring deoptimization, said receive interface circuit also being configured to send a fourth data file to said optimization processor, said fourth data file representing said third data file after said third data file has been processed by said receive interface circuit into a format suitable for deoptimization by said optimization processor, said optimization processor performs one of a decompression and a decryption on said fourth data file, thereby obtaining a deoptimized data file (see figure 2; figure 3; column 3, lines 46-67; and see column 6, 38-46).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venters et al. (U.S. patent 5,805,600) in view of Ellersick et al. (U.S. patent 6,038,226).

Art Unit: 2175

As to claim 2, Venters et al. does not teach wherein said first data file is a Fiber Channel data frame.

Ellersick et al., teaches a combined signaling and pcm cross-connect and packet engine (see abstract), in which he teaches wherein said first data file is a Fiber Channel data frame (see column 1, lines 38-46).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Venters et al., to include wherein said first data file is a Fiber Channel data frame.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Venters et al. by the teaching of Ellersick et al., because wherein said first data file is a Fiber Channel data frame, would enable the data optimization engine, because telecommunication signals are commonly digitized and multiplexed for transport over relatively high bandwidth shared transmission facilities, for example, optical fiber, for greater network .

As to claim 3, Venters et al. as modified teaches wherein said first data file is encoded using 10-bit encoding, said format suitable for optimization by said optimization processor is an 8-bit encoding protocol (see Venters et al., figure 2 and figure 3).

**Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 703-305-7605. The examiner can normally be reached on Monday-Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

bmo

March 26, 2004

  
DOV POPOVICI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100